

MAY 09 2006

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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission


6

Application Number	10/600,098
Filing Date	06/20/2003
First Named Inventor	Sean D. Monahan
Art Unit	1632
Examiner Name	Woitach, Joseph T.
Attorney Docket Number	Mirus.013.03.2

ENCLOSURES (Check all that apply)


<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Reply to Non-Compliant Amendment dated 04/18/2006.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Mirus Bio Corporation		
Signature			
Printed name	Kirk Ekena		
Date	05/09/2006	Reg. No.	56,672

CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Kirk Ekena	Date	05/09/2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/600,098
Applicants : Sean D. Monahan et al.
Filed : 06/20/2003
Art Unit : 1632
Examiner : Woitach, Joseph T.
Docket No. : Mirus.013.03.2
For: Intravascular Delivery of Non-Viral Nucleic Acid

Commissioner of Patents
PO Box 1450
Alexandria, VA 2231-1450

ELECTION TO RESTRICTION REQUIREMENT

Dear Sir:

This Amendment responds to the Notice of non-compliant amendment dated April 18, 2006. Applicants have amended claim 16 to more accurately correspond to the elected species of oligonucleotides that are not expressed. Applicants have also withdrawn claims 17-19 to correspond to the election of species of double strand RNA.

A Listing of the Claims Readable on Elected Species begins on page 2 of this paper.

A Complete Listing of the Claims begins on page 3 of this paper.